

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application Of:

Lawrence M. Ausubel et al.

Confirmation. No.: 7304

Application No.: 09/740,930

Group Art Unit: 3691

Filed: December 21, 2000

Examiner: F. Poinvil

For: **SYSTEM AND METHOD FOR THE
EFFICIENT CLEARING OF SPECTRUM
ENCUMBRANCES**

Customer No.: 14449

Mail Stop 16

Director of the USPTO
P.O. Box 1450
Alexandria , VA 22313-1450

**SUPPLEMENTAL REQUEST FOR REFUND IN CONNECTION WITH
A REQUEST FOR REFUND PREVIOUSLY FILED ON OCTOBER 19, 2011**

Sir:

Applicants hereby submit a Supplemental Request for Refund to correct a typographical error that appears in the Request for Refund previously filed on October 19, 2011, in connection with an Appeal Brief of September 19, 2011 for the above-identified application.

Please correct the third bulleted item, as follows:

- Applicants filed an Appeal Brief on September 19, 2011 and charged the filing fee of \$270.00, as required under § 41.20(b)(2), based on a small entity, to Deposit Account No. 50-1847 (Deposit Account Statement attached);
- Applicants claim credit for the filing fee of \$250.00, based on a small entity, paid for a brief filed on October 26, 2006 in the above-identified application;
- There has not been a Decision of the Board in the interim; and
- Applicants are entitled to a refund of the difference between the fee paid on September 19, 2011 and the fee paid on October 26, 2006, as stated above, and, in accordance with M.P.E.P. 1204.01.

Therefore, for the reasons stated above and in accordance with M.P.E.P. 1204.01,
Applicants request that a credit of the difference between the above fees to be charged back to
Deposit Account No. 50-1847.

Date: November 14, 2011

Respectfully Submitted

/Stanley B. Green/

Stanley B. Green

Registration No.: 24,351

Manatt, Phelps & Phillips LLP
700 12th Street, NW. Suite. 1100
Washington, DC 20005
Phone: 202.585-6500
Facsimile: 202.585.6600
Attorney(s) for Applicant

Electronic Acknowledgement Receipt

EFS ID:	11221015
Application Number:	09740930
International Application Number:	
Confirmation Number:	7304
Title of Invention:	System and method for the efficient clearing of spectrum encumbrances
First Named Inventor/Applicant Name:	Lawrence M. Ausubel
Customer Number:	14449
Filer:	Stanley Barry Green/Joyce Guthrie
Filer Authorized By:	Stanley Barry Green
Attorney Docket Number:	44430-039
Receipt Date:	19-OCT-2011
Filing Date:	21-DEC-2000
Time Stamp:	16:00:52
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/Message Digest	Multi Part /.zip	Pages (if appl.)
1	Refund Request	44430-039_Request_for_Refund.pdf	352807 5b692ceb34f15a45e6c3a74f2391e19e2966 b634	no	4

Warnings:

Information:

Total Files Size (in bytes):	352807
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<p><u>New Applications Under 35 U.S.C. 111</u></p>	
<p>If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p>	
<p><u>National Stage of an International Application under 35 U.S.C. 371</u></p>	
<p>If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p>	
<p><u>New International Application Filed with the USPTO as a Receiving Office</u></p>	
<p>If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>	

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Director of the USPTO

P.O. Box 1450

Alexandria , VA 22313-1450

REQUEST FOR REFUND

Sir:

Applicants hereby request a refund in connection with an Appeal Brief of September 19, 2011 in the above-identified application and in support thereof state as follows:

- Applicants filed an Appeal Brief on September 19, 2011 and charged the filing fee of \$270.00, as required under § 41.20(b)(2), based on a small entity, to Deposit Account No. 50-1847 (Deposit Account Statement attached);
- Applicants claim credit for the filing fee of \$250.00, based on a small entity, paid for a brief filed on October 26, 2006 in the above-identified application;
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Applicants request that a credit of the difference between the above fees to be charged back to
Deposit Account No. 50-1847.

Date: October 19, 2011

Respectfully Submitted

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Washington, DC 20005

Phone: 202.585-6500

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Attorney(s) for Applicant



**United States
Patent and
Trademark Office**

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Deposit Account Statement

Requested Statement Month: September 2011
Deposit Account Number: 501847
Name: MANATT PHELPS & PHILLIPS, LLP
Attention: JILL PIETRINI, ESQ.
Street Address 1: 1001 PAGE MILL ROAD
Street Address 2: BUILDING 2
City: PALO ALTO
State: CA
Zip: 94304-1006
Country: UNITED STATES

DATE SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT
09/08 1742	77807103	27128.030-035	7004	\$150.00
09/08 16804	85274339	85/274,339 45161-031	8507	\$15.00
09/08 19453	85417590	RESEARCH MONITOR	7001	\$975.00
09/12 12038	61533140	45431-032-002 PROV	2005	\$110.00
09/12 12046	61533136	45431-032-001 PROV	2005	\$110.00
09/12 18569	E-REPLENISHMENT		9203	-\$9,312.00
09/12 18625	12736087	44439-031	2617	\$65.00
09/13 11112	77954885	27128-030-037Q QUALYS SEC	7003	\$100.00
09/13 11379	77954885	27128-030-037Q QUALYS SEC	7004	\$150.00
09/20 9274	09740930	44430-039	2402	\$270.00
09/20 20041	11543364	43354-030-003	2251	\$65.00
09/20 22398	85075332	27308-030 SOLVERAS	7003	\$100.00
09/20 22441	85075339	27308-030SOLVERAS SMARTPA	7003	\$100.00
09/21 23	08920085		8009	\$120.00
09/23 5794	85086033	27510-037-012R IN 2 CIRCL	7003	\$200.00
09/23 7180	85086033	27510-037-012R IN 2 CIRCL	7004	\$300.00
09/23 14493	3853417	42516-030RESURGE INT'L	8521	\$40.00
09/23 14494	3853417	42516-030RESURGE INT'L	8522	\$50.00
09/23 21343	77966318	42516-030-003RESURGE INT'	7003	\$100.00
09/23 21345	77966318	42516-030-003RESURGE INT'	7005	\$100.00
09/23 21344	77966318	42516-030-003RESURGE INT'	7004	\$150.00
09/26 2545	77966340	42516-030-003RESURGE INTE	7003	\$100.00
09/26 2546	77966340	42516-030-003RESURGE INTE	7004	\$150.00
09/26 2547	77966340	42516-030-003RESURGE INTE	7005	\$100.00
09/28 1	12943927	29906-031-002 CON	1253	\$1,110.00
09/28 8178	12853109	21736-00010-US3	1501	\$1,740.00

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$20,688.00	\$6,470.00	\$9,312.00	\$23,530.00

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